

STATE OF INDIANA)
) SS:
COUNTY OF PORTER) SITTING IN PORTER COUNTY, INDIANA

ARLISA ANN RUCKER,)
)
Plaintiff,)
) CAUSE NO:
vs.)
)
SPEEDWAY LLC,)
)
Defendant.)

COMPLAINT

COMES NOW the Plaintiff, Arlisa Ann Rucker, by counsel, WALTER J. ALVAREZ, P.C., and for her cause of action against Defendant Speedway LLC now states as follows:

1. This is a civil action for injuries and damages that the Plaintiff, Arlisa Ann Rucker, sustained as the result of a slip and fall which occurred on June 19, 2016, as she was walking back to her car, after paying for gas at a gas station facility owned, operated and/or controlled by the Defendant, in Valparaiso, Porter County, State of Indiana.

2. The Defendant, Speedway LLC, is a corporation organized and existing under the laws of the State of Ohio and doing business in the State of Indiana.

3. On June 19, 2016, the Plaintiff was lawfully on the premises of the Defendant as a business invitee, with the permission of and for the benefit of the Plaintiff.

4. At this date and time, due to the negligence of the Defendant, the Plaintiff

slipped and fell due to a liquid substance on the pavement at the Defendant's facility, thereby sustaining injuries.

5. The Defendant had a duty to the Plaintiff to maintain their premises in a reasonably safe condition, and the Defendant negligently failed to do so.
6. The Defendant's negligence toward the Plaintiff includes, but is not limited to, all of the following:
 - a. Failure to exercise reasonable care to discover a dangerous condition which provided an unreasonable risk of harm to the Plaintiff;
 - b. Failure to operate their establishment in a reasonably careful and prudent manner;
 - c. Failure to exercise reasonable care to protect business invitees against said danger, when the Defendant either knew or should reasonably have known that its invitees would not recognize the danger, or would fail to protect themselves against said danger;
 - d. Failure to follow recommendations that would have prevented the aforementioned hazard;
 - e. Failure to exercise the requisite degree of care that a reasonably prudent person would have exercised under the same or similar circumstances or conditions;
 - f. Failure to operate their establishment in a reasonably careful and prudent manner;
 - g. Negligent hiring and/or training of individuals and/or entities;
 - h. Failure to keep clear of wet and/or slippery foreign substances the pavement and other walking surfaces at their establishment in order to protect against this dangerous condition, failure to place mats down to protect against this dangerous condition, and/or failure to put up adequate signage or other means to warn customers of this dangerous condition; and
 - i. Failure to comply with the doctrine of spoliation of evidence, pursuant to Indiana law, to maintain and preserve evidence.

7. That as a direct and proximate result of the negligence of the Defendant, the Plaintiff suffered injuries, some of which are permanent; incurred medical expenses for care, testing and treatment; suffered loss of wages and earning ability; and suffered an inability to engage in her normal daily activities for an indefinite period of time.

WHEREFORE, Plaintiff, Arlisa Ann Rucker, demands judgment against Defendant, Speedway LLC, and prays as follows: for reasonable compensatory damages; for pre-judgment interest and post-judgment interest; for the costs of this action; and for all other necessary and proper relief.

Respectfully submitted,

WALTER J. ALVAREZ, P.C.



Hilary R. Hall (# 22728-45)
Walter J. Alvarez, P.C.
Attorneys for Plaintiff

DEMAND FOR JURY TRIAL

The Plaintiff, Arlisa Ann Rucker, hereby demands a jury trial for all counts and claims set forth in this Complaint.

Respectfully submitted,

WALTER J. ALVAREZ, P.C.



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